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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5828 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.PANDIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not? No.
3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge?
No.

GORDHANBHAI BHIKHABHAI VYAS

Versus

UNION OF INDIA

Appearance:

MR TR MISHRA for Petitioner
MR JAYANT PATEL for Respondent No. 1 & 3.
MR RAJNI H MEHTA for Respondent No. 2

CORAM : MR.JUSTICE S.D.PANDIT

Date of decision: 01/09/98

ORAL JUDGEMENT

Rule. Mr. Jayant Patel, learned advocate waives service of notice of rule on behalf of respondent no.1 and 3, Mr. Mehta, learned advocate waives service of

notice of rule on behalf of respondent no.2.

2. The petitioner-Gordhanbhai Bhikhabhai Vyas has come before the court with a case that he was recruited as Casual Labour in Oil & Natural Gas Corporation Ltd., at Mehsana Project of the respondent no.2 on 7.7.1987, and he has been working continuously and uninterruptedly from 1987 to 1990. On 15.2.1990 he made a representation to the respondent no.2-Corporation for treating him as a regular employees of the respondent-corporation by contending that juniors to him have been regularised. The said claim of him was not accepted. He approached the respondent no.3 though the respondent no.3 made an attempt for conciliation, he could not succeed and ultimately he filed failure report dtd.27.1.98 which is issued by the respondent no.1 on 3.2.1998. But as no further action is taken by the respondent no.1, the petitioner has come before this court.

3. In view of the above circumstances, the direction will have to be issued to the respondent no.1 to take its decision on the question of making a reference as regards the demand raised by the petitioner. I, therefore, hereby direct the respondent no.1 to take its decision as to whether a reference is to be made or not within eight weeks from the receipt of the writ.

4. The Rule is made absolute in the above terms with no order as to costs.

syed*